

ARLYN P. ILDEFONSO,	)	
	)	
Petitioner,	)	4:13CV3110
	)	
V.	)	
	)	
BRIAN GAGE, Warden,	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
Respondent.	)	
	)	

Rule 60 provides, in part, that:

- (1) mistake, inadvertence, surprise, or excusable neglect;
- (2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);
- (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;
- (4) the judgment is void;

(5) the judgment has been satisfied, released or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or

(6) any other reason that justifies relief.

[Fed. R. Civ. P. 60\(b\)](#).

The court has reviewed Petitioner's motion and concludes that Petitioner has not identified any grounds for modifying the Memorandum and Order and judgment entered in this case.

IT IS THEREFORE ORDERED that:

1. Petitioner's Motion to Alter or Amend Judgment (Filing No. [64](#)) is denied.

DATED this 19<sup>th</sup> day of April, 2016.

BY THE COURT:

*Richard G. Kopf*  
Senior United States District Judge